

**ALASKA COASTAL MANAGEMENT PROGRAM
CONSISTENCY EVALUATION**

Pursuant to the following evaluation, the project as proposed is consistent with applicable ACMP statewide standards and affected coastal resource district enforceable policies (copies of the policies are available on the ACMP web site at <http://www.alaskacoast.state.ak.us>).

DATE ISSUED

PROJECT TITLE

City of Craig; False Island Boat Launch Float System Mod

STATE ID. NO.

AFFECTED COASTAL RESOURCE DISTRICT(S)

Craig Coastal District

CHAPTER 112. STATEWIDE STANDARDS OF THE ALASKA COASTAL MANAGEMENT PROGRAM

Article 2. Uses & Activities

11 A.A.C. 112.200. Coastal development

Standard

- (a) *In planning for and approving development in or adjacent to coastal waters, districts and state agencies shall manage coastal land and water uses in such a manner that those uses that are economically or physically dependent on a coastal location are given higher priority when compared to uses that do not economically or physically require a coastal location.*
- (b) *District and state agencies shall give, in the following order, priority to*
 - (1) *water-dependent uses and activities;*
 - (2) *water-related uses and activities; and*
 - (3) *uses and activities which are neither water-dependent nor water-related for which there is no practicable inland alternative to meet the public need for the use or activity.*
- (c) *The placement of structures and the discharge of dredged or fill material into coastal water must, at a minimum, comply with the standards contained in 33 C.F.R. Parts 320-323, revised as of July 1, 2003.*

Evaluation

- (a) This use requires a coastal location. The expansion of the float for the launch ramp must be co-located with the existing launch ramp float.
- (b) This use is a WATER DEPENDENT use.
- (c)

☒ Consistent

☐ Inconsistent

☐ Not Applicable

11 A.A.C. 112.210. Natural hazard areas

Standard

- (a) *In addition to those identified in 11 A.A.C. 112.900, the department, or a district in a district plan, may designate other natural processes or adverse conditions that present a threat to life or property in the coastal area as natural hazards. Such designations must provide the scientific basis for designating the natural process or adverse condition as a natural hazard in the coastal area, along with supporting scientific evidence for the designation.*
- (b) *Areas likely to be affected by the occurrence of a natural hazard may be designated as natural hazard areas by a state agency or, under 11 A.A.C. 114.250(b), by a district.*
- (c) *Development in a natural hazard area may not be found consistent unless the applicant has taken appropriate measures in the siting, design, construction and operation of the proposed activity to protect public safety, services and the environment from potential damage caused by known natural hazards.*
- (d) *For purposes of (c) of this section, “appropriate measures in the siting, design, construction and operation of the proposed activity” means those measures that, in the judgment of the coordinating agency, in consultation with the department’s Division of Geological and Geophysical Surveys, the Department of Community and Economic Development as state coordinating agency for the National Flood Insurance Program under 44 C.F.R. 60.25, and other local and state agencies with expertise,*

- (1) satisfy relevant codes and safety standards; or*
- (2) in the absence of such codes and standards;*
 - (A) the project plans are approved by an engineer who is registered in the state and has engineering experience concerning the specific natural hazard; or*
 - (B) the level of risk presented by the design of the project is low and appropriately addressed by the project plans.*

Evaluation

(a) This project is not located in an identified or designated hazard area.

(b)

(c)

(d)

(1)

(2)

(A)

(B)

☐ Consistent

☐ Inconsistent

☒ Not Applicable

11 A.A.C. 112.220. Coastal access

Standard

District and state agencies shall ensure that projects maintain and, where appropriate, increase public access to, from, and along coastal water.

Evaluation

This project INCREASES public coastal access to coastal water.

☒ Consistent

☐ Inconsistent

☐ Not Applicable

11 A.A.C. 112.230. Energy facilities

Standard

(a) The siting and approval of major energy facilities by districts and state agencies must be based, to the extent practicable, on the following standards:

- (1) site facilities so as to minimize adverse environmental and social effects while satisfying industrial requirements;*
- (2) site facilities so as to be compatible with existing and subsequent adjacent uses and projected community needs;*
- (3) consolidate facilities;*
- (4) consider the concurrent use of facilities for public or economic reasons;*
- (5) cooperate with landowners, developers, and federal agencies in the development of facilities;*
- (6) select sites with sufficient acreage to allow for reasonable expansion of facilities;*
- (7) site facilities where existing infrastructure, including roads, docks, and airstrips, is capable of satisfying industrial requirements;*
- (8) select harbors and shipping routes with least exposure to reefs, shoals, drift ice, and other obstructions;*
- (9) encourage the use of vessel traffic control and collision avoidance systems;*

- (10) select sites where development will require minimal site clearing, dredging and construction in productive habitats;*
- (11) site facilities so as to minimize the probability, along shipping routes, of spills or other forms of contamination which would affect fishing grounds, spawning grounds, and other biologically productive or vulnerable habitats, including marine mammal rookeries and hauling out grounds and waterfowl nesting areas;*
- (12) site facilities so that design and construction of those facilities and support infrastructures in coastal areas of Alaska will allow for the free passage and movement of fish and wildlife with due consideration for historic migratory patterns;*
- (13) site facilities so that areas of particular scenic, recreational, environmental, or cultural value, identified in district plans, will be protected*
- (14) site facilities in areas of least biological productivity, diversity, and vulnerability and where effluents and spills can be controlled or contained;*
- (15) site facilities where winds and air currents disperse airborne emissions that cannot be captured before escape into the atmosphere;*
- (16) select sites so that associated vessel operations or activities will not result in overcrowded harbors or interfere with fishing operations and equipment.*
- (b) The uses authorized by the issuance of state and federal leases, easements, contracts, rights-of-way or permits for mineral and petroleum resource extraction are uses of state concern.*

Evaluation

(a) This is not an energy facility. This project is not located in an area identified or designated for energy facilities.

- (1)
- (2)
- (3)
- (4)
- (5)
- (6)
- (7)
- (8)
- (9)
- (10)
- (11)
- (12)
- (13)
- (14)
- (15)
- (16)

(b)

☐ Consistent

☐ Inconsistent

☒ Not Applicable

11 A.A.C. 112.240. Utility routes and facilities

Standard

- (a) Utility routes and facilities must be sited inland from beaches and shorelines unless*
 - (1) the route or facility is water-dependent or water related; or*

- (2) *no practicable inland alternative exists to meet the public need for the route or facility.*
- (b) *Utility routes and facilities along the coast must avoid, minimize or mitigate*
- (1) *alterations in surface and ground water drainage patterns;*
 - (2) *disruption in known or reasonably foreseeable wildlife transit;*
 - (3) *blockage of existing or traditional access.*

Evaluation

- (a) This project is not located in an identified or designated utility route or facility location.
- (1)
 - (2)
- (b)
- (1)
 - (2)
 - (3)

☐ Consistent

☐ Inconsistent

☒ Not Applicable

11 A.A.C. 112.250. Timber harvest & processing

Standard

A.S. 41.17 (Forest Resources and Practices Act) and the regulations adopted under that chapter with respect to the harvest and processing of timber are incorporated into the program and constitute the components of the program with respect to those purposes.

Evaluation

This project is not located in an area identified or zoned for timer harvest or processing. No timber harvest or processing is required to complete this project.

☐ Consistent

☐ Inconsistent

☒ Not Applicable

11 A.A.C. 112.260. Sand & gravel extraction

Standard

Sand and gravel may be extracted from coastal waters, intertidal areas, barrier islands and spits if there is no practicable alternative to coastal extraction that will meet the public need for the sand or gravel.

Evaluation

No sand or gravel extraction will take place in relation to this project. The project is not located in an area designated or identified for sand or gravel extraction.

☐ Consistent

☐ Inconsistent

☒ Not Applicable

11 A.A.C. 112.270. Subsistence

Standard

(a) *A project within a subsistence use area designated by the department or under 11 A.A.C. 114.250(g) must avoid or minimize impacts to subsistence uses of coastal resources.*

(b) *For a project within a subsistence use area designated under 11 A.A.C. 114.250(g), the applicant shall submit an analysis or evaluation of reasonably foreseeable adverse impacts of the project on subsistence use as part of*

- (1) a consistency review packet submitted under **11 A.A.C. 110.215**; and
- (2) a consistency evaluation under **15 C.F.R. 930.39, 15 C.F.R. 930.58, or 15 C.F.R. 930.76**.

(c) Repealed 10/29/2004, **Register 172**.

(d) Except in nonsubsistence areas identified under **A.S. 16.05.258**, the department may, after consultation with the appropriate district, federally recognized Indian tribes, Native corporations, and other appropriate persons or groups, designate areas in which a subsistence use is an important use of coastal resources as demonstrated by local usage.

(e) For purposes of this section, “federally recognized Indian tribe,” “local usage,” and “Native corporation” have the meanings given in **11 A.A.C. 114.990**.

Evaluation

(a) This project is not located in an identified or designated subsistence use area. This project will give additional public access to coastal water resources including subsistence.

(b)

(1)

(2)

(c)

(d)

(e)

☒ Consistent

☐ Inconsistent

☐ Not Applicable

11 A.A.C. 112.280. Transportation routes & facilities

Standard

Transportation routes and facilities must avoid, minimize or mitigate

- (1) alterations in surface and ground water drainage patterns;
- (2) disruption in known or reasonably foreseeable wildlife transit; and
- (3) blockage of existing or traditional access.

Evaluation

(1) This project AVOIDS alterations in surface and ground water drainage patterns.

(2) This project AVOIDS disruption in known or reasonably foreseeable wildlife transit.

(3) This project AVOIDS blockage of existing or traditional access. This project enhances existing public access.

☒ Consistent

☐ Inconsistent

☐ Not Applicable

Article 3. Resources & Habitats

11 A.A.C. 112.300. Habitats

Standard

(a) Habitats in the coastal area which are subject to the program are

- (1) offshore areas;*
- (2) estuaries;*
- (3) wetlands;*
- (4) tideflats;*
- (5) rocky islands and seacliffs;*
- (6) barrier islands and lagoons;*
- (7) exposed high energy coasts;*
- (8) rivers, streams and lakes and the active floodplains and riparian management areas of those rivers, stream and lakes; and*
- (9) important habitat.*

(b) The following standards apply to the management of the habitats identified in (a) of this section:

- (1) offshore areas must be managed to avoid, minimize or mitigate significant adverse impacts to competing uses such as commercial, recreational or subsistence fishing, to the extent that those uses are determined to be in competition with the proposed use;*
- (2) estuaries must be managed to avoid, minimize or mitigate significant adverse impacts to*
 - (A) adequate water flow and natural water circulation patterns; and*
 - (B) competing uses such as commercial, recreational or subsistence fishing, to the extent that those uses are determined to be in competition with the proposed use;*
- (3) wetlands must be managed to avoid, minimize or mitigate significant adverse impacts to water flow and natural drainage patterns;*
- (4) tideflats must be managed to avoid, minimize or mitigate significant adverse impacts to*
 - (A) water flow and natural drainage patterns; and*
 - (B) competing uses such as commercial, recreational or subsistence uses, to the extent that those uses are determined to be in competition with the proposed use;*
- (5) rocky islands and sea cliffs must be managed to*
 - (A) avoid, minimize or mitigate significant adverse impacts to habitat used by coastal species; and*
 - (B) avoid the introduction of competing or destructive species and predators;*
- (6) barrier islands and lagoons must be managed to avoid, minimize or mitigate significant impacts*
 - (A) to flows of sediments and water;*
 - (B) from the alteration or redirection of wave energy or marine currents that would lead to the filling in of lagoons or the erosion of barrier islands; and*
 - (C) from activities that would decrease the use of barrier islands by coastal species, including polar bears and nesting birds;*

- (7) exposed high-energy coasts must be managed to avoid, minimize or mitigate significant adverse impacts*
 - (A) to the mix and transport of sediments; and*
 - (B) from redirection of transport processes and wave energy;*
 - (8) rivers, streams and lakes must be managed to avoid, minimize or mitigate significant adverse impacts to*
 - (A) natural water flow;*
 - (B) active floodplains; and*
 - (C) natural vegetation within riparian management areas; and*
 - (9) important habitat*
 - (A) designated under 11 A.A.C. 114.250(h) must be managed for the special productivity of the habitat in accordance with district enforceable policies adopted under 11 A.A.C. 114.270(g); or*
 - (B) identified under (c)(1)(B) or (C) of this section must be managed to avoid, minimize or mitigate significant adverse impacts to the special productivity of the habitat.*
- (c) For purposes of this section,*
- (1) "important habitat" means habitats listed in (a)(1)-(8) of this section and other habitat in the coastal area that are*
 - (A) designated under 11 A.A.C. 114.250(h);*
 - (B) identified by the department as a habitat*
 - (i) the use of which has a direct and significant impact on coastal water; and*
 - (ii) that is shown by written scientific evidence to be biologically and significantly productive; or*
 - (C) identified as state game refuges, state game sanctuaries, state range areas or fish and game critical habitat under A.S. 16.20;*
 - (2) "riparian management area" means the area along or around a waterbody within the following distances, measured from the outermost extent of the ordinary high water mark of the waterbody:*
 - (A) for the braided portions of a river or stream, 500 feet on either side of the waterbody;*
 - (B) for split channel portions of a river or stream, 200 feet on either side of the waterbody;*
 - (C) for single channel portions of a river or stream, 100 feet on either side of the waterbody;*
 - (D) for a lake, 100 feet of the waterbody.*

Evaluation

- (a) This project is located in a submerged offshore area that contains some important habitat.*
- (b)*
 - (1) The project will not adversely affect any competing uses.*
 - (2) N/A*
 - (A)*
 - (B)*
 - (3) N/A*
 - (4) N/A*

- (A)
- (B)
- (5) N/A
 - (A)
 - (B)
- (6) N/A
 - (A)
 - (B)
 - (C)
- (7) N/A
 - (A)
 - (B)
- (8) N/A
 - (A)
 - (B)
 - (C)
- (9) This project will adversely affect (shading) approximately 135 square feet of eelgrass.
 - (A) This project is located outside of the protected area identified in the district enforceable policies.
 - (B) The project has been designed to MINIMIZE the impact to the important habitat by; placing it in the location to have the least amount of eelgrass affected by shading; aligning the proposed float predominantly north/south to minimize the shading effect; and using the proposed float on a seasonal basis to reduce the shading effect. The combination of design, placement, alignment and seasonal use make the impact to the important habitat minimal. Avoidance of the eelgrass is not possible, the design provides minimal impact. The original approved launch ramp project filled over approx. 5,114 sf of eelgrass. This represented .001% of the total eelgrass bed that was impacted and .0006% of the total eelgrass in Craig. The proposed modification will impact an additional 135 sf of eelgrass which represents only a 2.5% increase in the total project impact, .00004% of the eelgrass bed impacted and .00001% of the eelgrass in Craig.
- (c)
 - (1) Eelgrass has been designated as an important habitat.
 - (A) Although there are set aside areas for the protection of eelgrass in Craig, the project is not located in an area designated by the district.
 - (B)
 - (i)
 - (ii) Eelgrass has been shown by scientific study to be biologically significantly productive. There is no evidence that the eelgrass impacted by this project is more biologically productive than remaining eelgrass in Craig.
 - (C) The area is not designated as a state game refuges, state game sanctuaries, state range areas or fish and game critical habitat under A.S. 16.20
 - (2) N/A
 - (A)

- (B)
- (C)
- (D)

☒ Consistent

☐ Inconsistent

☐ Not Applicable

11 A.A.C. 112.310. Air, Land & Water Quality

Standard

Notwithstanding any other provision of this chapter, the statutes and regulations of the Department of Environmental Conservation with respect to the protection of air, land, and water quality, identified in A.S. 46.40.040(b) are incorporated into the program and, as administered by that department, constitute the exclusive components of the program with respect to those purposes.

Evaluation

This project will have no significant impacts to air, land or water quality.

☒ Consistent

☐ Inconsistent

☐ Not Applicable

11 A.A.C. 112.320. Historic, Prehistoric, and Archeological Resources

Standard

(a) The department will designate areas of the coastal zone that are important to the study, understanding or illustration of national, state or local history or prehistory, including natural process.

(b) A project within an area designated under (a) of this section shall comply with the applicable requirements of A.S. 41.35.010 – 41.35.240 and 11 A.A.C. 16.010 – 11 A.A.C. 16.900.

Evaluation

(a) This area has not been designated by the coastal district or the department as an area of the coastal zone that is important to the study, understanding or illustration of national, state or local history or prehistory. The project will not adversely impact any historic, prehistoric or archeological resources.

(b) N/A

☒ Consistent

☐ Inconsistent

☐ Not Applicable